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October 24, 2003

VIA FEDEX AND E-MAIL

Mary Cottrell, Secretary
Massachusetts Department of Telecommunications and Energy
One South Station
Boston, MA 02110

Re: D.T.E. 03-59; Comments of Lightship Telecom, LLC

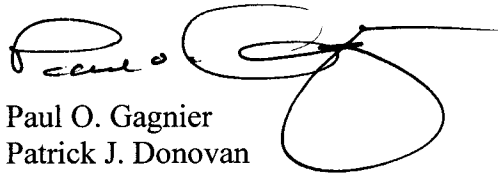
Dear Ms. Cottrell:

Lightship Telecom, LLC ("Lightship"), by its undersigned counsel, files the enclosed Comments in the above-referenced docket.

Pursuant to the Department's Procedural Memorandum dated September 26, 2003, enclosed is one (1) original of the Comments for filing. Kindly date-stamp and return the extra copy in the self-addressed stamped envelope provided.

Please contact the undersigned if you have any questions regarding this matter.

Respectfully submitted,



Paul O. Gagnier
Patrick J. Donovan
Phillip J. Macres

Counsel to Lightship Telecom, LLC

Enclosure

cc: Jesse S. Reyes, Hearing Officer (8 copies via FedEx and e-mail)
D.T.E. 03-59 Service List (via e-mail only)

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY**

Proceeding by the Department of Telecommunications and Energy on its own Motion to Implement the Requirements of the Federal Communications Commission's Triennial Review Order Regarding Switching for Large Business Customers Served by High-Capacity Loops

D.T.E. 03-59

**LIGHTSHIP TELECOM, LLC'S COMMENTS
IN RESPONSE TO SEPTEMBER 26, 2003 PROCEDURAL ORDER**


Lightship Telecom, LLC ("Lightship"), through its undersigned counsel, submits the following in response to the Department of Telecommunications and Energy's ("Department") procedural order in this case, issued on September 26, 2003, in lieu of a formal offer of proof. These comments address the points set forth in the Department's September 26, 2003 Procedural Order.

1. Lightship is a facilities-based competitive local exchange carrier ("CLEC") that uses unbundled network elements ("UNEs") obtained from Verizon to serve enterprise customers in Massachusetts. Lightship also provides facilities-based telecommunications services to other CLECs that themselves rely on UNEs purchased from Verizon to serve enterprise customers. Lightship is especially reliant upon the combination of loops, switching, and transport facilities referred to as the UNE-Platform or UNE-P. In addition, Lightship utilizes UNE-P service to provide service to its customers in select markets in Massachusetts. It is vital to Lightship's continued commercial success that access to UNE-P services remains available, particularly in markets where it is not and will not be economically feasible to deploy its own facilities.
2. While resource constraints prevent Lightship from full participation in this docket, Lightship wants to go on record as urging the Department to conduct this investigation in full, and not to close the docket prematurely at this time. Availability from other CLECs of facilities at the DS-1 level in the Commonwealth is very limited. Therefore, Verizon UNE-P will be needed for the foreseeable future in order to provide a competitive choice to enterprise business customers in the Commonwealth.
3. Moreover, Lightship would like the opportunity to compete to offer facilities-based voice services to CLECs that currently serve their customers using Verizon's DS-1 UNE-P. This type of competition is not possible at present because Verizon has no process in place for cut-overs of UNE-P CLEC enterprise customers from Verizon's network and switches to Lightship's network and switches. The ability of Lightship to provide facilities that could be used by DSCI (a Lightship customer for certain services) and other UNE-P CLECs to serve their substantial customer bases would

significantly enhance Lightship's business prospects. For this reason, it is important that Verizon establish a process for migrating UNE-P customers to CLEC-provided switching platforms. Until Verizon can accomplish such migrations in seamless fashion (that is the same quality as Verizon's ability to assume back these customers), UNE-P services at the DS-1 level remain operationally impaired and should be kept in place. Lightship urges the Department to investigate these issues fully, to rebut the Federal Communications Commission's ("FCC") finding of "no impairment" for DS-1 switching customers, and to petition the FCC for a waiver of the FCC's conclusion that no impairment exists for these services.

WHEREFORE, Lightship requests that the Department not close this docket but, rather, engage in a full examination of the impairment issue and file a waiver petition with the FCC.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Philip J. Macres / for". The signature is written in a cursive, flowing style.

Patrick J. Donovan

Philip J. Macres

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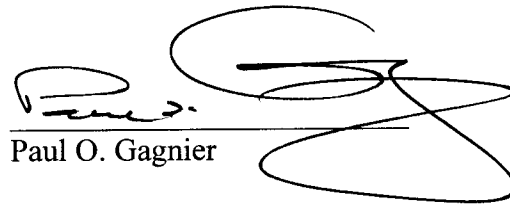
Counsel for Lightship Telecommunications, LLC

Dated: October 24, 2003

CERTIFICATE OF SERVICE

I, Paul O. Gagnier, certify that, on this 24th day of October 2003, a copy of the foregoing Lightship Telecom, LLC's Comments in Response to September 26, 2003 Procedural Order was served to the addresses listed below.

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